

FILED  
Clerk  
District Court

APR 17 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

**MICHAEL W. DOTTS, ESQ.**  
**O'Connor Berman Dotts and Baner**  
**Second Floor, Nauru Building**  
**P.O. Box 501969**  
**Saipan, M.P. 96950-1969**  
**Tel. No.: (670) 234-5684**  
**Fax No.: (670) 234-5683**

*Attorneys for Plaintiff Maria Hellena Jebehn*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

**MARIA HELLENA JEBEHN,**

**Plaintiff,**

**v.**

**JOSEPH JOHN HERRERA;  
ALOHA COUNCIL BOY SCOUTS OF  
AMERICA, INC.; and BOY SCOUTS  
OF AMERICA, INC.,**

**Defendants.**

**CIVIL ACTION NO. 03-0027**

**DECLARATION OF  
MICHAEL W. DOTTS  
RE ATTORNEY'S FEES  
AND COSTS INCURRED  
TO ENFORCE JUDGMENT  
AGAINST DEFENDANT  
JOSEPH JOHN HERRERA**

I, Michael W. Dotts, declare and state, under penalty of perjury, as follows:

1. I am the counsel of record for Plaintiff Maria Helena Jebehn in this matter.

2. I have reviewed all of my law firm's billings regarding enforcement of judgment against Defendant Joseph John Herrera. The total attorney's fees and costs that my firm has incurred to enforce judgment or in aid of judgment against Defendant Herrera from February 9, 2006 through April 7, 2006 is \$2,824.91. *See billing, Exhibit "A."*

1           2.       Of the total amount of \$2,824.91, \$2,035.00 is for attorney's fees and \$789.91 is  
2 for costs.

3  
4           3.       The amount of \$2,824.91 does not include any billings for time worked or costs  
5 incurred in connection with prejudgment proceedings against Defendant Herrera, nor any  
6 proceedings against the other Defendants in this case. The claimed amount of \$2,824.91 is  
7 purely related to the post judgment proceedings against Defendant Herrera.  
8

9  
10          4.       The amount of \$2,824.91 represents a reasonable and fair compensation to  
11 counsel and a true and correct account of the work done on this case. All of the fees prayed for  
12 were necessarily and actually incurred in the course of representation of Plaintiff Jebehn.  
13


14  
15          5.       It is my firm's practice to record time contemporaneously or close in time to when  
16 the work is performed. Billing judgment is exercised and time is reduced or not charged when it  
17 is felt the amount of time performed on a task was excessive, or time is eliminated if it is felt  
18 performance of the task was not justified. That billing judgment was exercised here in arriving  
19 at the total of \$2,824.91.

20          6.       The attorneys' fees sought are based on hourly rates charged by the attorneys  
21 and paralegal at my firm who worked on the case. The rates are market rate and are charged  
22 generally to all clients. The costs charged are also at market rate and are the sort of costs  
23 charged to all clients.  
24  
25  
26  
27  
28

7. This Declaration is being issued to comply with the Court's Order In Aid of Judgment dated April 13, 2006.

I, Michael W. Dotts, declare and state, under penalty of perjury, that I have read this Declaration, and that it is true and correct, to the best of my knowledge and belief, and if called upon to testify, I could competently testify thereto.

Executed on Saipan on this 14 day of April, 2006.

  
Michael W. Dotts (F0150)

**SAIPAN OFFICE**  
 Second Floor, Nauru Building  
 P.O. Box 501969  
 Saipan, MP 96950-1969  
 Telephone: (670) 234-5684  
 Fax: (670) 234-5683  
 Email: [attorneys@saipan.com](mailto:attorneys@saipan.com)

**O'CONNOR BERMAN DOTTS & BANES**  
**ATTORNEYS AT LAW**  
**SAIPAN OFFICE**

**HONOLULU OFFICE**  
 Suite 2800, Pacific Tower  
 Bishop Square, 1001 Bishop Street  
 Honolulu, Hawaii 96813-3580  
 Telephone: (808) 585-8858  
 Fax: (808) 599-4198  
 Email: [Mark@Shklovlaw.com](mailto:Mark@Shklovlaw.com)

April 14, 2006

**POHNPEI OFFICE**  
 Second Floor, Ace Commercial Bldg.  
 P.O. Box 1491  
 Kolonia, Pohnpei, FSM 96941  
 Telephone: (691) 320-2868  
 Fax: (691) 320-5450  
 Email: [bermlaw@mail.fm](mailto:bermlaw@mail.fm)

**GUAM OFFICE**  
 Suite 503, Bank of Guam Building  
 111 Chalan Santo Papa  
 Hagåtña, Guam 96910  
 Telephone: (671) 477-2778  
 Fax: (671) 477-4366  
 Email: [bermlaw@kuentos.guam.net](mailto:bermlaw@kuentos.guam.net)

Invoice submitted to:  
 Client Acct.No.: 3016-01-Cont

Ma. Helena E. Jebehn  
 P.O. Box 504844 CK  
 Saipan MP 96950

In Reference To: CNMI v. Joseph John Herrera: CR 02-0049A

Invoice # 37524

Professional services

		<u>Hours</u>
2/9/06	MWD Hearing on motion to enforce settlement agreement or in alternative, motion for order to show cause. Make oral motion to served by publication that was granted.	0.50
2/10/06	ABS Prepare Order.	1.00
2/13/06	ABS Prepare motion for order in aid of judgment, declaration, notice and order.	2.00
	ABS Revisions to motion for order in aid of judgment and declaration.	0.50
2/16/06	ABS Research for memorandum in support of motion for order in aid of judgment.	0.50
2/20/06	ABS Research and prepare memorandum in support of motion for order in aid of judgment.	1.50

**Exhibit "A"**

Ma. Helena E. Jebehn

Page 2

		<u>Hours</u>	
2/21/06	ABS Prepare revisions to memorandum, declaration, motion, notice, and order. Research re order in aid of judgment.	2.50	
2/22/06	ABS Revisions to memo in support of motion for order in aid of judgment.	0.25	
	MWD Review and approve motion papers.	0.50	
3/15/06	ABS Prepare Proof of Service. Obtained publication.	0.50	
3/28/06	ABS Prepare cover page for Proof of Publication in Oregon. Prepare for court filing.	0.50	
3/29/06	EDB Discussion with Mike Dotts to cover hearing since Mr. Dotts must leave island.	0.25	
	MWD Review and verify that publication was completed; discuss case with Eric Bozman since he will handle hearing.	0.70	
3/30/06	ABS Prepare updated computation of amounts due.	0.25	
4/5/06	EDB Discussion with Aura Sabangan.	0.25	
	EDB Review file.	0.50	
4/6/06	EDB Hearing on motion for order in aid of judgment.	1.00	
4/7/06	ABS Prepare Order in Aid of Judgment. Update computation of amounts due.	0.50	
	MWD Review draft order before submission.	0.20	
			<u>Amount</u>
	AMOUNT DUE ON HOURS WORKED	13.90	\$2,035.00
	Additional charges:		
	- Mileage		0.90
	- Postage		10.77
	- Xerox Charges		72.90

Ma. Helena E. Jebehn

Page 3

	<u>Amount</u>
- Xerox Charges	21.60
- Fax/Phonebills	13.50
- Word Processing	5.83
- Publication - Notice of Motion (boh5957) - Saipan	72.00
- Xerox Charges	5.40
- Fax/Phonebills	3.00
- Publication - Portland, Oregon	584.01
 Total costs	 \$789.91
 TOTAL AMOUNT DUE	 \$2,824.91
 Balance due	 \$2,824.91